

### REMARKS

Reconsideration of this application is respectfully requested in view of the foregoing amendment and the following remarks.

Claims 1-20 are pending in the present application. Claims 1-10 and 12-20 stand rejected. Claim 11 was objected to as being allowable, but dependent upon a rejected base claim. By this amendment, applicant seeks to amend claims 1, 4 and 8. In addition, applicant seeks to cancel claim 11 without prejudice or disclaimer. These amendments are believed not to introduce new matter, and their entry is respectfully requested.

Paragraph 9 of the office action objects to claim 11 as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicant has amended claim 1 to include the elements of claim 11, and to make claim 1 more clearly recite what applicant regards as his invention. Because claim 1 as amended includes all the limitations of claim 11 that were indicated as allowable in paragraph 9 of the office action, applicant respectfully submits that claim 1, as amended is in a condition for allowance. Accordingly, applicant respectfully requests that the Examiner reconsider and withdraw the rejection of claim 1, as well as its dependent claims 2-10.

Paragraph 5 of the Office Action rejects claim 12 under 35 U.S.C. § 103(a) as being unpatentable over published U.S. Patent Application No. 2004/0117831 to Ellis ("Ellis") in view of U.S. Patent No. 6,052,780 to Glover ("Glover"), published U.S. Patent Application No. 2004/0153526 to Haun *et al.* ("Haun"), U.S. Patent No. 6,405,284 to Bridge ("Bridge") and U.S. Patent 5,832,222 to Dziadosz (Dziadosz"). Claim 12 has been amended to recite "integrating

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wireless QOS for the distribution of rich media using one or more edge servers and one or more JAVA-based player devices." Applicant believes that the combination recited in claim 12 as amended is not disclosed in the art of record, whether taken alone or in combination.

Accordingly, applicant respectfully requests that the Examiner reconsider and withdraw the rejection to claim 12, and its dependent claims 13-20.

In view of the foregoing all of the claims in this case are believed to be in condition for allowance. Should the Examiner have any questions or determine that any further action is desirable to place this application in even better condition for issue, the Examiner is encouraged to telephone applicants' undersigned representative at the number listed below.

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Respectfully submitted,

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